

**TENTATIVE RULINGS for CIVIL LAW and MOTION**  
**September 28, 2009**

Pursuant to Yolo County Local Rules, the following tentative rulings will become the order of the court unless, by 4:00 p.m. on the court day before the hearing, a party requests a hearing and notifies other counsel of the hearing. To request a hearing, you must contact the clerk of the department where the hearing is to be held. Copies of the tentative rulings will be posted at the entrance to the courtroom and on the Yolo Courts Website, at [www.yolo.courts.ca.gov](http://www.yolo.courts.ca.gov). If you are scheduled to appear and there is no tentative ruling in your case, you should appear as scheduled.

Telephone number for the clerk in Department Fifteen: (530) 406-6942

**TENTATIVE RULING**

**Case:**                      **Young v. Tarasenko, et al.**  
                                 **Case No. CV PO 09-327**

**Hearing Date:**        **September 28, 2009**                      **Department Fifteen**                      **9:00 a.m.**

The demurrer on the ground that the first amended complaint fails to plead fraud with sufficient particularity is **SUSTAINED WITH LEAVE TO AMEND**. (*Lazar v. Superior Court of Los Angeles County* (1996) 12 Cal.4<sup>th</sup> 631; *Schauer v. Mandarin Gems of Calif.* (2005) 125 Cal.App.4<sup>th</sup> 949; *Tyler v. Children's Home Society* (1994) 29 Cal.App.4<sup>th</sup> 511, 548-550.)

Plaintiffs must file their second amended complaint **by no later than October 14, 2009.**

If no hearing is requested, this tentative ruling is effective immediately. No formal order pursuant to California Rules of Court, rule 3.1312 or further notice is required.